

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

VISICU, INC.

Plaintiff,

**iMDsoft, LTD and LEHIGH
VALLEY HOSPITAL,**

Defendants.

CIVIL ACTION NO. 07-CV-04562

Judge Mitchell S. Goldberg

VISICU'S NOTICE OF FINAL JUDGMENT

Pursuant to Visicu's Stipulated Motion to Postpone Settlement Conference (Dkt. No. 136), Visicu hereby advises that Final Judgment has now been entered by the district court on all claims in *Cerner v. Visicu*, No. 4:04-cv-01033-GAF (W.D. Mo.). The court issued an order regarding the patent-related claims on January 4, 2011 (Dkt. No. 657), then issued the final judgment in the case regarding the trade secret claims on February 3, 2011 (Dkt. Nos. 663 & 664).

On the day this last judgment was entered, both Visicu and Cerner filed timely notices of appeal to the U.S. Court of Appeals for the Federal Circuit (Dkt. Nos. 665 & 666). Among other things, Visicu appeals from the judgments of invalidity and non-infringement, and Cerner appeals from the denial of its inequitable conduct claim. The clerk transmitted these notices of appeal to U.S. Court of Appeals for the Federal Circuit on February 8, 2011 (Dkt. No. 667). The Federal Circuit has not yet set a briefing schedule.

Visicu will keep this Court updated as to the appellate schedule and disposition.

Dated this 22nd day of February, 2011.

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